Chapter 10
Energy Facility Planning Process

Program Requirements

The ICMP is to contain the state's planning process for energy facilities which are likely to be located in or which may significantly affect the coastal zone, including the process for anticipating the management of the impacts resulting from such facilities. The CZMA defines "energy facilities" as any equipment or facility which is or will be used primarily in the exploration for, or the development, production, conversion, storage, transfer, processing, or transportation of, any energy resource; or, for the manufacture, production, or assembly of equipment, machinery, products, or devices which are involved in any such activity. The term "energy facilities" includes, but is not limited to the following:

1. Electric generating plants;
2. Petroleum refineries and associated facilities;
3. Gasification plants;
4. Facilities used for the transportation, conversion, treatment, transfer, or storage of liquefied natural gas;
5. Uranium enrichment or nuclear fuel processing facilities;
6. Oil and gas facilities, including platforms, assembly plants, storage depots, tank farms, crew and supply bases, and refining complexes;
7. Facilities including deepwater ports, for the transfer of petroleum;
8. Pipelines and transmission facilities; and
9. Terminals associated with any of the foregoing facilities.

This process is to contain an identification of energy facilities which are likely to locate in or which may significantly affect our coastal zone and procedures for assessing the suitability of such sites. It must also identify enforceable state laws and authorities for managing the impacts from these facilities and the procedures allowing for public participation and input in the planning and siting of such facilities and their management. The ICMP should also provide for adequate consideration of the national interest involved in the planning and managing of energy facilities which are of greater than local significance.

Existing Energy Facilities Located within the ICMP Boundary

The ICMP coastal zone land area includes the 85 square mile "present-day watershed" and the inland waterway corridors which add roughly another 25 square miles. Due to the highly urbanized and developed nature of Illinois' coastal zone, the siting of any new major energy facilities within the ICMP boundary is likely limited to areas in the northern portion of Lake County or within the Lake Calumet area in southern Cook County. The state is currently not reviewing any plans for proposed new major energy facilities in Illinois' coastal zone.

Electric generating plants – nuclear There are no active nuclear power plants within the ICMP boundary. The Zion Station, located on the western shore of Lake Michigan in the community of Zion, is a former nuclear generating facility that has been converted into a voltage-stabilizing facility. After over 20 years of operation, Zion's two reactors were permanently shut down in 1998. All nuclear fuel has been removed from the reactor vessel. Currently, 1,019 metric tons of spent nuclear fuel is being stored in the plant's onsite spent fuel pool. Exelon announced in December 2007 that it had contracted with EnergySolutions to dismantle the nuclear plant, who would remove all structures, components and debris and return the site to close to its original state. This project is scheduled for completion in 2018, at which time EnergySolutions would return the property to Exelon. The Zion Station sits on 257 acres.

There are no Petroleum Refineries, Gasification Plants, Uranium Enrichment, or Nuclear Fuel processing facilities located within the ICMP boundary.

Existing Electric generating plants - fossil fuel or biogas (Source: IEPA Clean Air Act Permit Program)

Below is a table listing of existing electric generating facilities located within or in close proximity to the ICMP boundary to show where modifications, including an expansion of a facility, may occur. Existing facilities often undergo equipment modifications or plant expansions with changes in energy demands, financial incentives and regulatory requirements. A new energy facility may also locate at or near an existing facility, or within an abandoned industrial area, due to the present infrastructure and land use. The listing is for general information only. Information that is more detailed can be found at the USEPA website by inserting the USEPA Federal Registration System Number (FRS).

PLANT FACILITY NAME	ADDRESS	FUEL	Nom	NPR	USEPA_FRS	IEPA_SID
Avon Energy Partners LLC	2000 E. 122nd St., Chicago	landfill biogas		3.3	110002453871	031600GBM
Bio Energy (Illinois), LLC	701 Green Bay Rd., Zion	landfill biogas			110012153828	097200ABC
Calumet Energy Team LLC	11653 S. Torrence Ave., Chicago	natural gas	400		110001350948	031600GHA
Crawford Electric Generating Station	3501 S. Pulaski Rd., Chicago	coal (sub)	586		110000434717	031600AIN
Devonshire Power Partners, LLC	138th St. and Cottage Grove Ave., Dolton	landfill biogas		5.5	110007262185	031069ABX
Fisk Electric Generating Station	1111 W. Cermak Rd., Chicago	coal (sub)	349	662.8	110000433905	031600AMI
Southeast Chicago Energy Project	3141 E. 96th St., Chicago	natural gas	350	407.2	110012514662	031600GKE
Trigen Peoples District Energy Smedley	2211 S. Martin Luther King Jr. Dr., Chicago	natural gas		3.3	110018199572	031600FVB
Waste Management of IL, CID Landfill	130th St. and Stony Island, Chicago	landfill biogas				031600FHJ
Waukegan Station (Midwest Generation)	10 Greenwood Ave., Waukegan	coal (sub)	805	914.7	110000430178	097190AAC
Winnetka Electric Plant	725 Tower Rd., Winnetka	gas & fuel oil		33.4	110018263733	031333AAD
Zion Energy Center	5701 W. Ninth St., Zion	gas & fuel oil	480		110021292260	097200ABB

EPA FRS is the USEPA Federal Registration System Number which is a centrally managed database that identifies facilities and sites subject to environmental regulations or of environmental interest. The FRS provides Internet access to a single integrated source of comprehensive environmental information.

EPA SID is the State ID number assigned by the IEPA.

Nom is the nominal capacity of the generating units in megawatts (MW) obtained from permit data.

NPR is the nameplate rating in MW of a generator or other electric power production equipment under specific conditions as designated by the manufacturer, usually indicated on a nameplate physically attached to the generator. It is the full- load continuous rating or initial capability of a piece of electrical equipment. Actual capability can vary from the nameplate rating due to age, wear, or conditions.

Genset is defined as an electrical generator powered by an internal combustion engine.

The *Avon Energy Partners, LLC, Harbor View Landfill Electrical Plant* is situated at a closed municipal solid waste landfill owned by Stony Island Reclamation and operated by the Land and Lakes Company. The source utilizes landfill gas (biogas) for the production of electricity and as capture to control landfill gas emissions. Avon Energy Partners, LLC is a separate corporate entity that has contracted with the Land and Lakes Company Harbor View Landfill to use the gas generated from the landfill. The electrical generation facility consists of five 987 kW gensets and a backup flare.

Bio Energy (Illinois), LLC contracted with Onyx-Zion Landfill, Inc. to use the gas generated from the landfill in its landfill gas to energy facility. The Gas to Energy Facility includes four existing and one planned landfill gas fired internal combustion engine-driven generator sets (13.99 mmBtu/hr each). The landfill is located east of Green Bay Road. The energy facility is located just west of Green Bay Road.

The *Calumet Energy Team Facility* is a peaking power plant that utilizes two 200 MW Natural Gas or Distillate Fuel Oil Fired Turbines (2,080 mmBtu/hr) to generate electricity.

The *Crawford Plant* (Midwest Generation EME, LLC) operate two coal- fired utility boilers and associated steam turbine generators to produce electricity. The plant has a nominal capacity of 586 MW. The boilers have electrostatic precipitators for particulate matter control. The Crawford Plant is outside the ICMP area but is a major energy facility in serving the Chicago area.

Devonshire Power Partners, LLC has contracted with the Land and Lakes Company, Inc. to use gas generated from landfills for the production of electricity and to control landfill gas emissions. Landfill gas is generated from the 138th St. landfills (Land and Lakes Landfill #1 and #2 - owned by MCM Land Co.) and the River Bend Prairie landfill (Dolton). Land and Lakes Company owns the River Bend Prairie landfill and operates all three landfills. The electrical generation facility consists of five 1,055 kW Jenbacher Energie Systems landfill gas fired gensets (9.96 mmBtu/hr per engine).

The *Fisk Plant* (Midwest Generation EME, LLC) operates one coal-fired utility boiler and associated steam turbine generator to produce electricity. The plant has a nominal capacity of about 349 MW. Other fuel materials, such as used oil generated at the source, may also be fired with coal in the boiler. The boiler has electrostatic precipitators for control of particulate matter and low NOx burners to control NOx.

The *Southeast Chicago Energy Project* is a peaker power plant that has eight simple cycle gas turbines (nominal plant capacity - 350 MWe, rated heat input 467 mmBtu/hr per turbine).

The *Trigen Peoples District Energy Smedley* facility includes three gas turbines, two package boilers and one heat recovery steam generator, all natural gas-fired. This facility is located just west of the Metra right of way being outside of the ICMP boundary.

The *Waste Management of IL, Inc. CID Landfill* facility burns landfill gas with three simple gas turbines having a rated heat input of 55 mmBtu/hr each.

The *Waukegan Energy Facility* (Midwest Generation EME, LLC) operates two coal-fired utility boilers and associated steam turbine generators with a nominal capacity of about 470 MW total. The boilers have electrostatic precipitators for particulate matter control. The plant also has four oil-fired peaking turbines.

The *Winnetka Electric Plant* is a municipal power plant with 4 natural gas-fired boilers with fuel oil backup and two 2408 KW fuel oil-fired engines (25.6 mmBtu/hr each) to generate electricity.

The *Zion Energy Center* operates three 160 MW natural gas turbines with fuel oil backup and low NOx combustors to generate electricity.

Deepwater Ports including terminals and Navigable Waterways

History of Port Development - With the creation of the Illinois and Michigan canal in 1848, creating an unbroken inland waterway from the Atlantic Ocean to the Gulf of Mexico, shipping in Chicago expanded, even as the emerging railroad industry was eclipsing the era of canals. Port activities remained centered on the Chicago River until well into the 20th century. In 1921, the Lake Calumet Harbor Act was passed authorizing the City to build a deep-water port at Lake Calumet which adopted the Van Vlissingen plan, which remains the Port's basic framework for commercial shipping and industrial development. Regularly scheduled overseas shipping service was established in 1935. In 1946, Congress authorized the Calumet-Sag Project to facilitate barge traffic between Lake Michigan and the Illinois and Mississippi Rivers. In 1951, the General Assembly created the Chicago Regional Port District to oversee harbor and port development. In 1952, the District was established as an independent municipal corporation with title to approximately 1500 acres of marshland at Lake Calumet. A plan released in 1953 called for construction of a turning basin, docks, grain elevators, and public terminals. The harbor was named the Senator Dan Doughty Harbor which was opened in 1958. In 1960, Union Tank Car created an enlarged deep-water turning basin and additional slips along the east side of Lake Calumet and eventually built 91 liquid storage tanks with a combined capacity of 800,000 barrels. In 1972, Navy Pier officially ended commercial shipping. In 1978, the Port District acquired 190 acres at the mouth of the Calumet River, built two new terminals sheds and rechristened the site "Iroquois Landing," giving the district a second major waterfront site for future development. (Source: Illinois International Port District's website)

The Calumet Harbor & River Project is located on the southwest shore of Lake Michigan about 11 miles southeast of Chicago Harbor in Chicago. Most of its breakwaters, harbor navigation channel and anchorage areas are located in Indiana. The construction and improvement of this navigation project was originally authorized in 1899. The project as it exists today consists of an outer harbor protected by a 6,714 feet long concrete capped timber crib breakwater to the north and northeast and a 5,007 feet long stone filled steel sheet pile detached breakwater to the northeast. The project also includes (a) a 29 feet deep by 3200 feet wide harbor approach channel, (b) a 28 feet deep by 3000 feet wide outer harbor channel and anchorage area and (c) a 27 feet deep by 290 feet wide river entrance channel. The Calumet River portion consists of a 27 feet deep navigation channel that runs about 7 miles inland to Lake Calumet and connects to the 9 feet deep Illinois Waterway Project at 130th Street. The harbor portion of the project was last dredged in 2000. (Source: USACE Chicago District website)

The Lake Calumet Harbor operations and terminals are located at the junction point of the Grand Calumet and Little Calumet Rivers approximately 6 miles inland from Lake Michigan. The Lake Calumet Harbor, also referred to as the Port of Chicago, offers terminals that handle ocean and lake vessels as well as barges. The Lake Calumet Harbor is served by four railroads and has access to Interstates 90 and 94. The Illinois International Port District in Chicago is a Foreign Trade Zone, providing low-cost production and warehousing facilities for imported and export-bound products. The southwest quadrant of Lake Calumet consists of three transit sheds totaling over 315,000 square feet adjacent to approximately 3000 linear feet of ship and barge berthing space. It has two grain elevators with 14 million bushel capacity, and an 800 thousand barrel liquid bulk terminal. The Lake Calumet Harbor handles liquid bulk, bulk grain, steel and scrap, aluminum, zinc, lead, sugar, cement, stone and stone products. Specializing in intermodal container service, Iroquois Landing is located at the mouth of the Calumet River at Lake Michigan. Iroquois Landing is a 100 -acre, open paved terminal with 3000 linear feet of ship and barge berthing space with a navigational depth of 27 feet. There are two 110,000 square-foot transit sheds, with direct truck and rail access. The area maintains 24-hour security, 7 days a week. There are 100 acres of adjacent property available for lease and development. (Source: Illinois International Port District's website)

The Chicago Harbor is located at the confluence of Lake Michigan and the Chicago River in Chicago. It was the former commercial port of Chicago and is now used mainly by pleasure boats. Some shipping enters the river through the locks here but the bulk of the City's lake commerce is now handled by the Calumet Harbor. A water filtration plant and Navy Pier is located 1 mile north of the Chicago River lock. Navy Pier was opened to the public in 1916. In World Wars I and II, it served as a naval training center. Now it is an entertainment, recreation and exposition center. The construction and improvement of Chicago Harbor began in 1833. The harbor includes a 970-acre outer basin protected by exterior breakwaters totaling 12,663 feet in length and a 224-acre inner basin protected by interior breakwaters totaling 6,578 feet in length. The project also includes a 29 feet deep approach channel, a 28 feet deep maneuvering channel and a 21 feet deep river entrance channel separated by the Chicago Harbor Lock. The lock's chamber is 80 feet wide by 600 feet long and is 22.4 feet deep at its low pool elevation. The lock is operated 24 hours per day, seven days per week. (Source: USACE Chicago District website)

The Chicago River serves as a vital transport link between Lake Michigan and the Illinois Waterway. Federal responsibility for improving navigation on the river began in 1899. By 1941, the river was transformed into its present configuration. The USACE Chicago District maintains the main and north branches of the river which includes a 21 feet deep navigation channel from Rush Street to North Avenue. The south branch of the Chicago River is maintained by the USACE Rock Island District. It consists of a 9 feet deep navigation channel connected to the Illinois Waterway by the Chicago Sanitary and Ship Canal. Principal commodities transported on the river consist of sand, gravel, crushed rock, scrap iron, fuel oil, coal, and non-metallic minerals. (Source: USACE Chicago District website)

The Waukegan Harbor is located in Waukegan about 38 miles north of Chicago. The initial improvement of Waukegan Harbor began in the 1880s and developed into its present configuration in 1966. The harbor is protected by a 1,894 feet long outer breakwater and two parallel jetties. The north jetty is 998 feet in length and the south jetty is 3,225 feet in length. The harbor also includes a 390 feet wide by 22 feet deep navigation channel from Lake Michigan to the head of the north jetty and a 200 feet wide by 18 feet deep channel between the jetties leading into the inner basin. The inner basin is 18 feet deep and covers 13 acres in area. The dredging of the outer harbor channel was completed in 2003. Principal commodities entering the harbor include gypsum and cement. The harbor is also a popular recreational site. (Source: USACE Chicago District website)

The discovery of PCBs in Waukegan Harbor sediments had prevented dredging of the primary navigational channels since 1975. Dredging Waukegan Harbor in 1992 and 1993 removed 1 million pounds of PCBs from the Waukegan Harbor Area of Concern. The dredging of approximately 4,000 cubic yards of sediment from Slip 1 in 2001 allowed ships to increase their cargo load from 30% to 70%. (Source: USEPA Great Lakes AOC website)

In 2007, Waukegan was working to enable an environmental dredge of the harbor on the condition federal legislation is enacted that would transform the harbor from an industrial to a recreational harbor.

Energy Policy and Planning Authorities and Initiatives

Under the ***Public Utilities Act*** [220 ILCS 5/8-406], a Certificate of Public Convenience and Necessity (CPCN) is required for projects owned by a regulated public utility and requires information on cost and need for the project prior to construction. The Illinois Commerce Commission (ICC) has the authority for granting the CPCN for the construction of a new electric generating facility, and reevaluates the propriety and necessity for the certificate at least every 3 years with consideration of any changes in the energy plans for the utility and the state.

Subsection (b) of Section 8-406 “Certificate of public convenience and necessity” cites the ICC’s power to issue a CPCN, after a hearing, if it determines that the utility demonstrates that the proposed construction is necessary to provide adequate, reliable, and efficient service to its customers and is the least cost means of satisfying the service needs of its customers; the utility is capable of efficiently managing and supervising the construction process and has taken sufficient action to ensure adequate and efficient construction and supervision thereof; and the utility is capable of financing the proposed construction without significant adverse financial consequences for the utility or its customers.

Under the Public Utilities Act, "*public utility* " includes every corporation, company, limited liability company, or association that owns, controls, operates or manages, within this state, directly or indirectly, for public use, any plant, equipment or property used or to be used for or in connection with, or owns or controls any franchise, license, permit or right to engage in the production, storage, transmission, sale, delivery or furnishing of heat, cold, power, electricity, water, or light, except when used solely for communications purposes; the disposal of sewerage; or the conveyance of oil or gas by pipe line. "*Public utility*" does not include utilities that are owned and operated by any political subdivision, public institution of higher education, or municipal corporations.

While the ICC does not regulate non-public utility-owned electric generation, municipal electric companies or electric cooperatives, the ICC monitors the status of the generators through contacts with the electric utilities and the regional transmission organizations that operate in Illinois, being PJM Interconnection, L.L.C. (PJM) and Midwest Independent Transmission System Operator, Inc. (MISO). The PJM service area includes the ICMP coastal zone.

Subsection 8-406(c) of the Public Utilities Act provides that no construction shall commence on any new nuclear power plant, and no CPCN or other authorization shall be issued by the ICC, until the IEPA Director finds that the United States Government, through its authorized agency, has identified and approved a demonstrable technology or means for the disposal of high level nuclear waste, or until such construction has been specifically approved by a statute enacted by the General Assembly.

Under the Public Utilities Act, the ICC prepares an annual report on Electricity, Gas, Water and Sewer Utilities which includes a review of significant decisions and other regulatory actions for the preceding year, an analysis of the state of each utility industry regulated by the ICC and significant changes, trends and developments. The report includes a specific discussion of the energy planning responsibilities and activities of the ICC and energy utilities, including the extent to which conservation, cogeneration, renewable energy technologies and improvements in energy efficiency are being utilized by energy consumers, and a description of existing and proposed programs and policies designed to promote and encourage such utilization. The ICC also prepares annual reports on the Development of Natural Gas Markets in Illinois to analyze the status and development of the retail natural gas market in the state.

Under the ***Department of Commerce and Economic Opportunity Law*** [20 ILCS 605], the Illinois Department of Commerce and Economic Opportunity (DCEO) may provide financial assistance for a newly constructed electric generation plant or a new generation capacity expansion at an existing facility, including the transmission lines and equipment. The DCEO is authorized to accept and use planning grants for the provision of planning assistance to municipalities, groups of adjacent communities having related planning problems resulting from rapid urbanization, and to official governmental planning agencies. This includes surveys, land use studies, urban renewal plans, and technical services.

The ***Illinois Resource Development and Energy Security Act*** [20 ILCS 688] specifically addressed utilizing the plentiful supply of Illinois coal and deploying advanced clean coal technology that allows high sulfur Illinois coal to be burned efficiently while meeting strict state and federal air quality limitations, such as through coal gasification. It also promoted renewable forms of energy as an

important element of the energy and environmental policies of the state, providing a goal that at least 5% of the state's energy production and use be derived from renewable forms of energy by 2010 and at least 15% from renewable forms of energy by 2020.

The ***Illinois Power Agency Act*** [20 ILCS 3855] created an "Illinois Power Agency" with objectives which included developing electricity procurement plans to ensure adequate, reliable, affordable, efficient, and environmentally sustainable electric service at the lowest total cost over time, for electric utilities that on December 31, 2005 provided electric service to at least 100,000 customers in Illinois. The procurement plan was to include cost-effective renewable energy resources. A minimum percentage of each utility's total supply to serve the load of eligible retail customers, as defined in Section 16-111.5(a) of the Public Utilities Act, procured for each of the following years shall be generated from cost- effective renewable energy resources: at least 2% by June 1, 2008; at least 4% by June 1, 2009; increasing 1% each succeeding year, to at least 10% by June 1, 2015; and increasing by at least 1.5% each year thereafter to at least 25% by June 1, 2025. As available, at least 75% of the renewable energy resources shall come from wind generation. Provisions for reductions in renewable energy resources were included to limit the annual estimated average net increase due to the costs of these resources paid by eligible retail customers.

The DCEO routinely prepares reports on changing industrial energy demands. For example, a Peaker Power Plant Fact Sheet was prepared to address a number of new natural gas burning power plants that were being proposed nationwide. Peaker power plants run only when there is a high "peak" demand for electricity, which normally occurs during the summer when air conditioning load is high and nuclear and coal- burning power plants cannot meet the demand for power. These plants use turbines that generally burn natural gas to produce electricity. In general, peaker plants were being located where large capacity power lines and gas pipelines cross or are in close proximity to one another. There were air emission, noise and water withdrawal concerns about the impacts of these peaker plants, thus prompting the preparation of the fact sheet. This helped to inform and educate municipalities and the public about the potential impacts, regulatory requirements, authorities, and sources for more information.

Another DCEO report titled Siting New Coal-Fired Power Plants (Sept. 2005) provided a guide to permits and economic incentives to assist organizations in the development of baseload electric generation in Illinois. It provided contact information of agencies involved in the siting, permitting, financing or building of such facilities, and outlined permits and approvals required for construction of coal-fired energy facilities along with tax incentives and financial assistance available for such projects.

Governor Executive Orders (EO) and Initiatives have specifically addressed emerging issues energy policy and have provided financial incentives to assist in meeting policy objectives. In 2001, an EO created an Energy Cabinet, which developed an Illinois Energy Policy Report (2002), making 56 specific recommendations to achieve the goal of increasing use of Illinois natural resources and moderating demand as steps toward energy independence. In 2006, an EO created the **Illinois Climate Change Advisory Group** to consider a full range of policies and strategies to reduce greenhouse gas emissions by enhancing the use of wind power, biofuels and through energy efficiency. It targeted a six (6) percent reduction in greenhouse gas emissions from governmental activities by 2010.

State Regulations Specific to Energy Facilities

The preceding section described the state's requirements and initiatives relating to comprehensive energy policy and planning. This section identifies the state statutes and administrative rules, which specifically address particular energy facilities or are an important regulatory component in the planning for and siting of an energy facility.

Obtaining an air pollution control permit is a major component in the ability to site fossil fuel electric generating facilities. ***Title II "Air Pollution" of the Environmental Protection Act*** contains Illinois' statutory air pollution regulations. Section 4 of the Environmental Protection Act designated the IEPA as the air pollution agency for the state for all purposes of the Clean Air Act of 1970. A comprehensive air quality construction permit is required for a new major source of emissions or a major modification of an existing source. This permit also implements the federal permit required by the Prevention of Significant Deterioration rules, which the IEPA administers.

The ***Gas Storage Act*** [220 ILCS 15] provides that any corporation which is engaged in or desires to engage in, the distribution, transportation or storage of natural gas or manufactured gas, which is intended for ultimate distribution to the public in the state, shall have the right to enter upon, take or damage private property or any interest therein, in the manner provided for by the law of eminent domain, necessary or convenient for its said operations, including the storage of gas, all of which operations are hereby recognized and declared to be affected with a public interest and all of the property used declared to be devoted to public use. No such order shall be issued by the ICC unless the proposed storage will be confined to geological strata lying more than five hundred feet below the surface of the soil, will not injure any water resources, and that the public convenience and necessity of a substantial portion of the gas consuming public in the state will be served by such acquisition.

The ***Gas Transmission Facilities Act*** [220 ILCS 25] states that in order to promote the more efficient use and distribution of natural gas (includes methane gas produced from municipal refuse) and eliminate the necessity for construction of transmission facilities for gas produced or sought to be transported by a private energy entity separate from those which may already exist to serve the same area and are owned and operated by a public utility subject to the jurisdiction of the ICC, the ICC shall authorize the construction of an interconnection by a private energy entity upon application of such entity if the ICC makes the findings required by Section 3 of this Act.

The ***Electric Supplier Act*** [220 ILCS 30] states it to be in the public interest that, in order to avoid duplication of facilities and to minimize disputes between electric suppliers which may result in inconvenience and diminished efficiency in electric service, any two or more electric suppliers may contract, subject to ICC approval, as to the respective areas in which each supplier is to provide service.

The ***Illinois International Port District Act*** [70 ILCS 1810] required the Port District to adopt a comprehensive plan for the development and for the promotion of commerce to and from the District; to acquire, construct, own, lease and develop terminals, wharf facilities, piers, docks, warehouses, bulk terminals, grain elevators, tug boats and other harbor crafts, and any other port facility or port-related facility or service as it finds necessary and convenient. The District shall study the existing harbor plans and to recommend to the appropriate governmental agency, changes and modifications as may be required to meet changing business and commercial needs. The District has powers to issue permits for the construction of all wharves, piers, dolphins, booms, weirs, breakwaters, bulkheads, jetties, bridges or other structures of any kind, and to acquire, own, construct, sell, lease, operate, and maintain port and harbor, water, and land terminal facilities. The District may acquire and accept by purchase, lease, gift, grant or otherwise any and all real property, whether a fee simple absolute or a lesser estate, or any right therein that may be useful for its purposes and to provide for the development of adequate channels, ports, harbors, terminals, port facilities, and terminal facilities adequate to serve the needs of commerce within the Port District. The District may acquire by condemnation property lying within the Lake Calumet area and any real property lying within 1/2 mile of the Calumet River or Lake Calumet and the whole of any parcel of real property adjacent to the river or lake which is wholly within the corporate limits of Chicago even though part of such parcel may be more than 1/2 mile from the river or lake. The District may sell, convey, or operate any of its buildings, structures or other improvements located upon District property, including the right to grant easements and permits for its use.

Other State Regulations by Agency

IEPA Bureau of Water An *NPDES Permit* is required prior to operation for discharge of wastewater to surface waters. The procedures for determining water quality based permit limitations for NPDES discharges to the Lake Michigan Basin are found at 35 IAC PART 352.

Illinois Historic Preservation Agency Consultation is required to request comments from the State Historic Preservation Officer concerning possible project effects on cultural resources (both structural and archaeological) for purposes as cited under the Section 106 of the National Historic Preservation Act and the *Illinois State Agency Historic Resources Preservation Act* [20 ILCS 3420].

IDOT Division of Aeronautics A *Determination of Obstruction Hazard* is required for construction of tall structures greater than 200 feet or located less than 20,000 feet from an airport.

IDNR Office of Realty and Environmental Planning (OREP) requires *Endangered Species/Natural Areas Consultation* for state agencies/local governments that authorize, fund, or perform actions altering environmental conditions, and which must use their authority to avoid or minimize adverse impacts. The Illinois Wetland Policy Act of 1989 [20 ILCS 830] requires that all projects receiving state support meet the state goal of no overall net loss to Illinois' existing wetland acres.

IDNR Office of Water Resources (OWR) issues permits for work in and along the rivers, lakes, and streams, including Lake Michigan; for activities in and along the public waters; for the construction, operation and maintenance of new dams. The standard joint application form includes copies for the USACE and the IEPA. OWR also administers Illinois' allocation of water from Lake Michigan.

IDNR participates in the Great Lakes Wind Collaborative, a regional body coordinating the development of wind resources. In addition state policy guidelines are under development governing the siting of offshore wind projects in Illinois coastal waters.

National Interest

The ICMP must also provide for adequate consideration of the national interest involved in planning for, and managing the coastal zone, including the siting of facilities such as energy facilities which are of greater than local significance. The state must describe the national interest in the planning for and siting of facilities considered during program development; indicate the sources relied upon for a description of the national interest; indicate how and where the consideration of the national interest is reflected in the management program; and, describe the process for continued consideration of the national interest.

Federal agencies are requested to provide information regarding the national interests in the siting of energy facilities within Illinois' coastal boundary.